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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

15 KIMBERLEY MAIN and EYAD AKEL,  
16 individuals, on behalf of themselves and all others  
similarly situated,

17 Plaintiffs,  
18 vs.  
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WAL-MART STORES, INC., a Delaware  
corporation; and DOES 1 through 50, inclusive,

20 Defendants.  
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No.: 3:11-cv-01919-JSW

**Consolidated Cases:**

Landeros, Case No. 11-CV-2659-JWS  
Nelson, Case No. 11-CV-2001-JWS  
Grikavicius, Case No. 11-CV-2893-JWS

**STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE HEARING ON  
MOTION FOR CLASS CERTIFICATION  
AND FURTHER CASE MANAGEMENT  
CONFERENCE FROM JULY 27, 2012 TO  
OCTOBER 26, 2012**

23  
24 Hon. Jeffrey S. White  
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## **STIPULATION**

This Stipulation is made pursuant to Local Rules 6-1(b) and 6-2 and this Court's Civil Standing Order 3 by and between plaintiffs Kimberly Main, Robin Nelson, Marylynn Grikavicius, and Lourdes R. Landeros ("Plaintiffs") and defendant Wal-Mart Stores, Inc. ("Defendant"), by and through their respective counsel, in light of the following facts:

**WHEREAS**, on December 16, 2011, this Court entered a Civil Minute Order in this consolidated matter setting a hearing of July 27, 2012 at 9:00 a.m. for Plaintiffs' Motion for Class Certification and a Further Case Management Conference;

**WHEREAS**, on April 16, 2012, the parties participated in a mediation before the Hon. Edward A. Infante (Ret.) at the JAMS Judicial Arbitration, Mediation, and ADR Services offices located in San Francisco, California, at which the parties reached an agreement in principle on the material terms of a possible settlement;

**WHEREAS**, the parties agreed that the terms of the possible settlement would be subject to review and final approval by Defendant's management;

**WHEREAS**, the review by Defendant's management is ongoing;

**WHEREAS**, the parties wish to avoid the costs of further discovery and briefing on the Motion for Class Certification and, therefore, request that the hearing on the Motion for Class Certification and Further Case Management Conference be continued from July 27, 2012 to October 26, 2012, or some later date convenient to the Court;

**WHEREAS**, there have been no previous time modifications in this case, whether by stipulation or Court order, related to the Motion for Class Certification or the Further Case Management Conference set by the Court's December 16, 2011 Civil Minute Order; and

**WHEREAS**, there has been no date set for trial in this case and the requested time modification will not affect any other deadlines scheduled in this case.

**NOW, THEREFORE**, Plaintiffs and Defendant hereby stipulate and jointly request that the Court continue the hearing for the Motion for Class Certification and the Further Case Management Conference from July 27, 2012 to October 26, 2012, or some later date convenient to the Court.

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2 **IT IS SO STIPULATED**  
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4 DATED: May 23, 2012

REED SMITH LLP

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6 By: /s/ Scott H. Jacobs  
7 Scott H. Jacobs  
8 Brandon W. Corbridge  
Attorneys for Defendant  
WAL-MART STORES, INC.  
9

10 DATED: 5/23/2012

STONEBARGER LAW, P.C.

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12 By: /s/ Gene J. Stonebarger  
13 Gene J. Stonebarger  
Richard D. Lambert  
Co-Lead Plaintiffs' Counsel  
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REED SMITH LLP  
A limited liability partnership formed in the State of Delaware

## FILER'S ATTESTATION

Pursuant to General Order No. 45, Section X, Subparagraph B, the undersigned attests that all parties have concurred in the filing of this Stipulation and [Proposed] Order Continue Hearing on Motion for Class Certification and Further Case Management Conference.

DATED: May 23, 2012

REED SMITH LLP

By: /s/ Scott H. Jacobs  
Scott H. Jacobs  
Brandon W. Corbridge  
Attorneys for Defendant  
WAL-MART STORES, INC.

1 **[PROPOSED] ORDER**  
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3 **PURSUANT TO THE ABOVE STIPULATION, IT IS ORDERED that:**

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5 1. The hearing on the Motion for Class Certification is continued to October 26, 2012 at 9:00 a.m.  
6 2. The Further Status Conference is continued to October 26, 2012 at 9:00 a.m.

7 Dated: May 24, 2012

8 By:   
9 The Honorable Jeffrey S. White  
United States District Judge